THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :24960 of 2007

DATED:26-11-2007

BETWEEN:

Grameena Santhala Abhivruddhi Society,
Rep., by its President-T.Sudheer Reddy,
Gajinagar village,
Nalgonda District.

..... PETITIONER

AND

The District Collector,
Nalgonda District & 6 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner; learned Government Pleader for Revenue; learned Government Pleader for Panchayatraj & Rural Development; and the learned counsel appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the official respondents in not ensuring and taking steps to provide necessary protection to the members of the petitioner society, and also the persons attending santha (angadhi) from the attacks of the unofficial respondents and their men, as illegal and arbitrary.

3. It is the case of the petitioner that the 4th respondent-Panchayat Secretary, Gajinagar village and Gram Panchayat, Devarakonda mandal, Nalgonda District passed a resolution, dated 18-10-2007, granting licence in favour of the petitioner authorizing to conduct a santha with regard to the sale and purchase of cattle, sheep, and goat for the period from
21-10-2007 to 20-10-2011 on payment of licence fee of Rs.1,00,000/- for the first year; Rs.2,00,000/- for second year; Rs.3,00,000/- for the third year; and Rs.4,00,000/- for the fourth year and it is the duty of the petitioner himself to provide necessary facilities for conducting the said santha and the petitioner is entitled to collect Rs.15/- for goat; and Rs.10/- for every hundred on the transaction of sale and purchase of cattle.

4. It is stated that in compliance of the said licence, petitioner

is entitled to collect money from the concerned persons, but the unofficial respondents 5 to 7 are interfering with the right of the petitioner to carry on the said business. Accordingly, petitioner made a representation before the Gram Panchayat on 16-11-2007 marking a copy to the other official respondents.

5. I am of the opinion that the other official respondents are nothing to do with the said licence granted by the Gram Panchayat and with regard to the right of the petitioner for conducting the sheep, goat, cattle santha. If the said unofficial respondents are preventing the petitioner from carrying on the said business, it is always open for the petitioner to make a police complaint, but however, as a representation has been filed by the petitioner before the concerned Gram Panchayat, it is for the concerned Gram Panchayat to consider and dispose of the same.

6. Having regard to the facts and circumstances, 4th respondent is directed to consider and dispose of the said representation, dated 16-11-2007, for taking appropriate steps either by way of addressing a letter to the concerned police to take appropriate action or to take any action as he thinks fit and proper in accordance with law.

7. Accordingly, Writ Petition is disposed of. There shall be no order as to costs.

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V.ESWARAIAH,J

26th November, 2007.

Note:

Furnish C.C. of the order
within two days.

B/o

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